

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

GREAT DANE LIMITED )  
PARTNERSHIP, )  
                      )  
Plaintiff,         )  
                      )  
v.                   )        Civil Case Number 3:08-cv-89  
                      )  
                      )  
STOUGHTON TRAILERS, LLC and )  
NEWCOURT, INC.,     )  
                      )  
Defendants.        )

**REPLY OF PLAINTIFF GREAT DANE LIMITED PARTNERSHIP  
TO DEFENDANT STOUGHTON TRAILERS, LLC'S COUNTERCLAIMS**

Plaintiff Great Dane Limited Partnership ("Great Dane"), hereby replies to the Counterclaims of the Defendant Stoughton Trailers, LLC ("Stoughton"), as follows:

**COUNTERCLAIMS**

**The Parties and Jurisdiction**

1.   Great Dane Admits the allegations contained in paragraph 1.
2.   Great Dane Admits the allegations contained in paragraph 2.
3.   Great Dane Admits the allegations contained in paragraph 3.
4.   Great Dane Admits the allegations contained in paragraph 4.
5.   Great Dane Admits the allegations contained in paragraph 5.

**Declaration of Invalidity of the '018 Patent**

6. Great Dane incorporates by reference its responses to paragraphs 1 through 5.

7. Great Dane Denies the allegations contained in paragraph 7, except that Great Dane Admits that an actual and justiciable controversy has arisen and now exists between Stoughton and Great Dane and, by its Amended Complaint, Great Dane has asserted that the '018 Patent is valid and has asserted a claim alleging infringement of the '018 Patent by Stoughton.

8. Great Dane Admits the allegations contained in paragraph 8.

9. Great Dane Denies the allegations contained in paragraph 9.

10. Great Dane Denies the allegations contained in paragraph 10, except that Great Dane Admits that an actual and justiciable controversy has arisen and now exists between Stoughton and Great Dane and that Stoughton seeks a declaration that the '018 Patent is invalid.

**Declaration of Invalidity of the '493 Patent**

11. Great Dane incorporates by reference its responses to paragraphs 1 through 5.

12. Great Dane Denies the allegations contained in paragraph 12, except that Great Dane Admits that an actual and justiciable controversy has arisen and now exists between Stoughton and Great Dane and, by its Amended

Complaint, Great Dane has asserted that the '493 Patent is valid and has asserted a claim alleging infringement of the '493 Patent by Stoughton.

13. Great Dane Admits the allegations contained in paragraph 13.

14. Great Dane Denies the allegations contained in paragraph 14.

15. Great Dane Denies the allegations contained in paragraph 15,

except that Great Dane Admits that an actual and justiciable controversy has arisen and now exists between Stoughton and Great Dane and that Stoughton seeks a declaration that the '493 Patent is invalid.

WHEREFORE, Great Dane respectfully requests this Court enter judgment in its favor, and against Defendants Stoughton Trailers, LLC and Newcourt, Inc. as follows:

- (a) That U.S. Patent Nos. 6,652,018 and 6,923,493 are valid, enforceable and infringed by the Defendants;
- (b) A permanent injunction against Defendants enjoining them, their directors, officers, agents, employees, successors, subsidiaries, assigns, and all persons acting in privity or in concert or participation with Defendants from making, using, selling, or offering for sale in the United States, or importing into the United States, any and all products and/or services

embodying the patented inventions claimed in the '018 and '493 Patents;

- (c) Awarding such damages to Great Dane to which it is entitled;
- (d) Awarding enhanced damages for willful infringement;
- (e) Awarding Great Dane pre-judgment and post judgment interest as allowed by law;
- (f) Awarding Great Dane its costs, expenses, and fees, including reasonable attorneys' fees pursuant to 35 U.S.C § 285; and
- (g) Awarding such other relief as the Court deems just and proper.

Respectfully submitted,

HUNTER, MACLEAN, EXLEY & DUNN,  
P.C.

*s/John M. Tatum*

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Partnership

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#### **CERTIFICATE OF SERVICE**

This is to certify that the within and foregoing document was electronically filed via the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

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/s/ John M. Tatum

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Partnership